

FILED
IN CLERKS OFFICE

FORM TO BE USED BY FEDERAL PRISONERS IN FILING A CIVIL ACTION
UNDER 28 U.S.C. § 1331 OR § 1346

2021 APR 22 AM 11:25

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT
DISTRICT OF MASS.

DIVISION

TERENCE L. THOMAS
28044-031 PRO-SE

(Enter above the full name of the Plaintiff
or Plaintiffs in this action)

VS.

U.S. OF A., ET AL.
TAILOR / WARDEN, BONCHER
GOVERNMENT

(Enter above the full name of the Defendant
or Defendants in this action)

- A. Have you begun other actions in Federal Court dealing with the same facts involved in this Action? Yes _____ No ☒
- B. If your answer to A is yes, describe the action in the spaces below. (If there is more than one action, describe the additional actions on the reverse side of this page).

1. Parties to the action: _____
2. Court (Federal Court name the district): _____
3. Docket Number: _____
4. Name of Judge to whom case was assigned: _____

5. Disposition: (Was case dismissed? Was it appealed? Is it still pending?): _____

C. 1. Did you present the facts relating to your complaint in the internal prison grievance procedure? Yes _____ No ☒

2. If your answer is Yes, what was the result? _____

3. If your answer is No, explain. ^{DOC} NOT PRISON / INSTITUTION RELATED TO DEPT OF CORRECTIONS FOR STATE AND NATIONAL CONSTITUTIONAL REMEDIES DO NOT HAVE TO EXHAUSTED FOR NATION WIDE ISSUE

D. 1. Did you present your claim to the Bureau of Prisons or other Federal agency for administrative action? Yes _____ No ☒

2. If your answer is yes, state the date such claim was submitted and what action, if any has been taken. _____

3. If your claim has been acted on, attach copies of any correspondence you have received from the Bureau of Prisons or other Federal agency concerning your claim.

E. 1. Are you suing for a work related injury? Yes _____ No ☒

2. If your answer is Yes, state the nature of the duties you were performing when the injury occurred. _____

TRAVERSE AND Rebuttal

I was sent a memorandum and order by case NO 21-3059-SAC to which I claim the following facts in rebuttal and traverse:

28 USC § 1391(b) was quoted to deny me rights to a proper venue to which I did file and claim my reason for filing with the district of Kansas that being document 1-1 filed 2-26-21 pg. 10F1

stating that a designation of trial form was not available I went on to ask for aid and assistance in this matter by arguing that if templates are suggested or the court can resolve the matter by just do so fore I don't have the means or resources.

28 USC § 1406(a) states the same outlook as above quoted however I am a layman seeking relief from the court not mootness because bias or prejudice. I asked the court to transfer said document to its proper station and I believe I was denied because I am a mental ill person that while is illegal.

42 USC §§ 12101-12613 (ADA)

I was dismissed without prejudice because I allegedly failed to state a claim of constitutional violation.

Page 3 of 7 document (1) Page 3 dated 2-26-21 states Access to law library (PLRA), given the short notice to file I went had adequate law library since Nov. 2020 affecting case 21-cv-03059-SAC; 19-cv-01211-EFM; 20-3224, and 16-CR-10039 EFM Appeals respectfully,

Access to law library is covered by Lewis V. Casey which stated I must have access to phone these named cases. also ex parte hull, 312 U.S. 546 (1941) Johnson v. Avery, 383 U.S. 483 (1969) and Bounds v. Smith 430 U.S. 817 (1977). I quote Benjamin v. Kerik, 102 F. Supp. 2d 157 (S.D.N.Y.) (2000) I didn't and was denied access to law library from Nov. til Feb. where as I couldn't look up case that are cited for a response and with outgoing mail for the previous mentioned cases of mine. if not there date close and by far and I was in the basis principles of construction class with ~~an~~ instructor of the name Mr. Hicks on Fridays we have class for a hour to an hour and a half which is a ~~choice between~~ ^{choice between} programs of vocational knowledge or law library where as when it was on our unit (law library icon on trailers) it was easier to manage time and deadlines

this violates my first Amendment "freedom to/right to petition the government for redress of grievance, and under the fifth and fourteenth amendment due process of law or in short the right to access the courts all following PLRA for relief I will like the trailers icon of law library open to the mental health unit as others same as such as microwaves. which brings me to my next ^{statement} ~~statement~~ of Facts.

the fourteenth amendment state Equal protection of the law

As stated previously it is against the law to treat other ~~in~~ a discriminating manner especially those who are disabled (ADA) following this category is mentally ill persons.

N unit is a mental health unit and because media has publicated ~~that~~ inadequacy in mental health treatment, cruel and unusual punishment and unconstitutional standings of discrimination we haven't received a microwave and our law library have been limited. It is believed that cause where mental health which is discrimination which i stated on page 3 of document 1 filed 2/26/21 pg 3 of 7. which violates my 14th amendment right thereby under PLRA and which I quote so when it was stated I made no claim I ask and pray the court reflect on these matters.

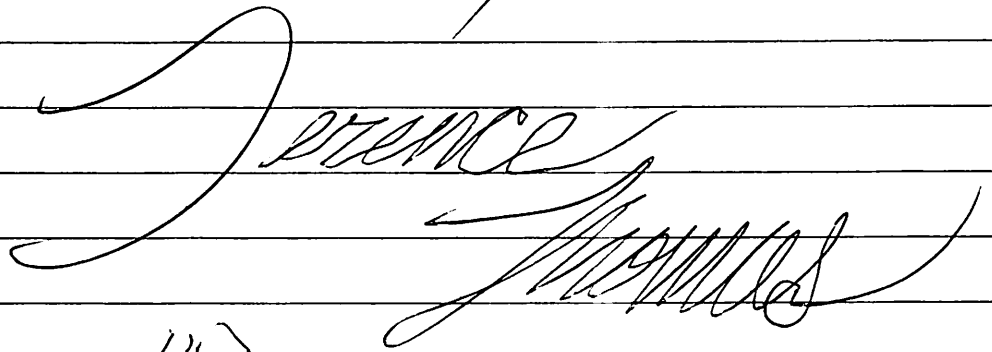
lastly about the microwave it states that the 8th amendment is in conjunction with a right to humane conditions, any thing beyond this is cruel and unusual punishment *Palmer v. Johnson*, 193 F.3d 346 (5th cir 1999) being a totality of the condition we was told that they won't replace them cause it was higher officials that told them not to which then concurring that they are phasing them out I would like the truth as relief and a replacement also the old warden (spalding) said it was approved through DC to have microwaves yet the new one refuse

42 usc section 1983 document 1 filed
2/26/21 pg 5 of 7, 6 of 7 and 7 of 7

States my right to due process and my
first amendment right of freedom of expression
I believe my life involving crime has ~~an~~ stem
from the fact of lack of an imagination
and pursuant of a career I found that
with my business ideas, strategies, concepts
and writings that which I will like to
have ~~reserved~~ reserved for copyrights, patent,
trademark, abrics, and coding, and what ever else ~~may~~
deemed fit.

denying this is denying me due process
and violation of my first amendment and given
will be cruel and unusual punishment seeing others do
it all the time and lastly a violation of my fourteenth
amendment free from discrimination.

Thank you for your time

TERENCE


TERENCE THOMAS
28044031
PO Box 879
Ayer MA 01432

PARTIES

(In item I. Below, place our name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any).

I. Name of Plaintiff: TERENCE L. THOMAS, 20044-031 PRCSF
Address: PO BOX 877-NR 401-42 PATTER RD FMC DEUENS AVER
MA 01932

(In item II. Below, place the full name of the defendant in the first blank, his / her official position in the second blank, and his / her place of employment in the third blank. Use the space below item II. for names, positions and places of employment of any additional defendants.)

II. Defendant Mrs BONCHER, ET AL
USOFA, ET AL. is employed as WARDEN, GOV'T
At 204 U.S COURT HOUSE
401 N MARKOT ST
WICHITA, KANSAS 67222
AND
FMC DEUENS, I-BOP

STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet(s), if necessary.)

MORE THAN 1 OR 2 DAYS
Access to law library: PIRA; as an inmate
that falls within the prison litigation reform Act
I have the right to law library, the access we
have is limited to and non-existent because they refuse
to allow us access with only a 30-1 hour window a
week in the library when we have a public domain
on things that access been restrict to which I
quote to many lawsuit have been filed.
(2) Our unit is a mental health to which we have
no access to microwave however everyone else does
like (Janit) which had to replace we will like our
microwaves replaced and to stop being discriminated against
because of mental issues. PREVIOUS WARREN SPALDING OBTAINED
Permission from Washington To keep microwaves and Boncher did away
with that for mental health but kept it enacted for general
population units.

RELIEF

IV. State what relief you seek from the Court. Make no legal arguments. Cite no cases or statutes.

we will like access to the law library more
at least again on our unit by training access
panel as before also we will like microwave or
our microwave replaced or have something in
waiting on why we can not however ~~other~~
others do.

as a mental health patient and
legal rights activist I will like to say I have
and appear that need tended to as well as will like a microwave

Signed this 14th day of APRIL 2021

↔28044-031↔
Terence Thomas
PO BOX .879
AYER, MA 01432
United States

(Signature of Plaintiff or Plaintiffs)

Terence Thomas

DECLARATION

I, TERENCE L. THOMAS declare under penalty of perjury that I have read and
subscribed to the above and state that the information contained therein is true and correct to the
best of my knowledge.

Executed 14th APRIL, 2021 at FMC DEVEN'S
Date Place

Terence Thomas
Signature of Plaintiff

Signature of Attorney (If Any)

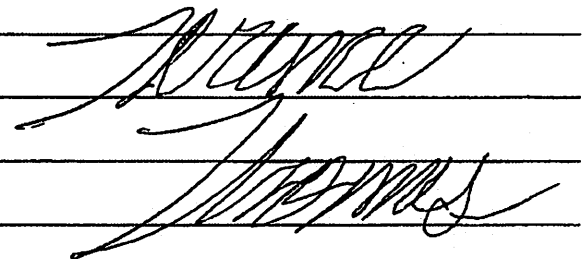
DEAR office of the clerk

I Terence Lamone Thomas is
currently indigent and given my recent circumstance
I will like to say do not have ~~access~~ access
law library except for once a week on Friday
for an hour which hampers my due process access to courts

I was told that they do not have
'designation of place of trial' forms. so please
I'm asking for a template or I will like to
explain for the record that I am from
Wichita Kansas and currently residing
in Massachusetts which if need be will
accept a designated trial here or wherever the
venue need be.

Lastly I will like to
say I have a few other issues to take
care of given my current situation
that deal with my living condition that
I will write of in further regard when
I know more of my case.

Thank you



↔28044-031↔
Terence Thomas
PO BOX .879
AYER, MA 01432
United States